

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In Re:)	Case No:	16-32541
Michael Cade)		
Shellie Ann McSwain-Cade)	Chapter:	Chapter 13
Debtors)		
)	Judge:	LaShonda A. Hunt

NOTICE OF MOTION

To: Michael Cade, 705 W 82nd Street, Chicago, IL, 60620

Marilyn O. Marshall, 224 S. Michigan Ave. #800, Chicago, IL, 60604

Office of the US Trustee, 219 S. Dearborn, Suite 873, Chicago, IL 60604

SEE ATTACHED SERVICE LIST OF ALL CREDITORS

PLEASE TAKE NOTICE that on **May 8, 2017 at 9:30am** I shall appear before the Honorable Judge **LaShonda A. Hunt** at 219 S. Dearborn St. # 719, , Chicago IL 60604 and then and there present the attached **MOTION TO MODIFY CONFIRMED PLAN**, a copy of which is attached hereto.

By: /s/ Dale Riley
Dale Riley

CERTIFICATE OF SERVICE

I, Dale Riley, hereby certify that I served a copy of this Notice along with the aforementioned document upon the above parties, by causing the same to be mailed in a properly addressed envelope, postage prepaid, for 55 E. Monroe, Suite 3400, Chicago, Illinois, on 4/11/2017.

By: /s/Dale Riley
Dale Riley

Attorneys for the Debtors

Geraci Law L.L.C.
55 E. Monroe Street #3400
Chicago, Illinois 60603
(Ph): 312.332.1800 (Fax): 877.247.1960

ALLY Financial
Attn: Bankruptcy Dept.
200 Renaissance Ctr
Detroit MI 48243

CITI
Attn: Bankruptcy Dept.
Po Box 6241
Sioux Falls SD 57117

Ocwen LOAN Servicing L
Bk New York Mellon
3451 Hammond Ave
Waterloo IA 50702

AT T
C/O Enhanced Recovery CO L
8014 Bayberry Rd
Jacksonville FL 32256

City of Chicago Dept of Water
Bankruptcy Department
333 S State St
Chicago IL 60680

Clerk, Chancery
16CH10707
50 W. Washington St., Room 802
Chicago IL 60602

BK OF AMER
Attn: Bankruptcy Dept.
Po Box 982238
El Paso TX 79998

Credit First N A
Attn: Bankruptcy Dept.
6275 Eastland Rd
Brookpark OH 44142

Codilis & Associates, PC
Bankruptcy Dept.
15W030 N. Frontage Rd. #100
Burr Ridge IL 60527

Capital One
Attn: Bankruptcy Dept.
26525 N Riverwoods Blvd
Mettawa IL 60045

Credit ONE BANK N.A.
C/O LVNV Funding LLC
Po Box 10497
Greenville SC 29603

Syncb/Walmart
Attn: Bankruptcy Dept.
Po Box 965024
Orlando FL 32896

Capital One Bank
Bankruptcy Department
PO Box 60024
City Of Industry CA 91716

Credit ONE BANK NA
Attn: Bankruptcy Dept.
Po Box 98875
Las Vegas NV 89193

TD BANK USA/Targetcred
Attn: Bankruptcy Dept.
Po Box 673
Minneapolis MN 55440

Clerk, First Mun Div
16M1114912
50 W. Washington St., Rm. 1001
Chicago IL 60602

Discover FIN SVCS LLC
Attn: Bankruptcy Dept.
Po Box 15316
Wilmington DE 19850

Transit Funding Associates LLC

3351 West Addison
Chicago IL 60618

Blitt and Gaines, PC
Bankruptcy Dept.
661 Glenn Ave.
Wheeling IL 60090

First Premier BANK
Attn: Bankruptcy Dept.
601 S Minnesota Ave
Sioux Falls SD 57104

Capital ONE BANK USA N
Attn: Bankruptcy Dept.
15000 Capital One Dr
Richmond VA 23238

KAY Jewelers
Attn: Bankruptcy Dept.
375 Ghent Rd
Fairlawn OH 44333

Capital ONE BANK USA N.A.
C/O Midland Funding
2365 Northside Dr Ste 30
San Diego CA 92108

Merrick BANK
Attn: Bankruptcy Dept.
Po Box 9201
Old Bethpage NY 11804

CBNA
Attn: Bankruptcy Dept.
50 Northwest Point Road
Elk Grove Village IL 60007

MID America BANK & TRU
Attn: Bankruptcy Dept.
5109 S Broadband Ln
Sioux Falls SD 57108

CCS/FIRST SAVINGS BANK
Attn: Bankruptcy Dept.
500 E 60Th St N
Sioux Falls SD 57104

Chase CARD
Attn: Bankruptcy Dept.
Po Box 15298
Wilmington DE 19850

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

In Re: Michael Cade Shellie Ann McSwain-Cade Debtor)))))	Case No: 16-32541 Chapter: Chapter 13 Judge: LaShonda A. Hunt
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MOTION TO MODIFY CONFIRMED PLAN

NOW COME the Debtors, Mr. & Mrs. Michael Cade (the “Debtors”), by and through their attorneys, Geraci Law L.L.C., to present their **MOTION TO MODIFY CONFIRMED PLAN**, and state as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 U.S.C. 1334 and this is a “core proceeding” under 28 U.S.C. 157(b)(2).
2. The Debtors filed their Petition for Relief and plan under Chapter 13 of the U.S. Bankruptcy Act on 10/12/2016.
3. The Debtors’ plan was confirmed by the Court on 01/25/2017, including a provision requiring the Debtors to turn their federal tax refunds over to the Trustee as additional payments into the plan.
4. The Debtors anticipate receiving a refund of \$1,099 for tax year 2016.
5. The Debtors owe \$1,461 on their current real estate tax bill. The budget in the original petition budgets \$180 per month for real estate taxes, and the Debtors have been in the plan for 5 months, representing a total of \$900 available for the taxes thus far. However, they are unable to afford the remaining \$561 of their tax bill while also maintaining their Chapter 13 plan payments without using their tax refund.

6. For the reasons stated above, it is necessary for the successful completion of the Debtors' plan to permit the Debtors to keep \$561 of their 2016 tax refund.

WHEREFORE THE DEBTORS, Mr. & Mrs. Michael Cade, respectfully request this

Honorable Court enter an order:

1. Permitting the Debtors to keep \$561 of their 2016 tax refund,
2. Any other relief the court deems proper.

By: /s/ Dale Riley
Dale Riley

Attorneys for the Debtors

Geraci Law L.L.C.

55 E. Monroe Street #3400

Chicago, Illinois 60603

(Ph): 312.332.1800 (Fax): 877.247.1960